

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JAMES ROEHL,

Plaintiff,

vs.

No. CIV 08-725 JB/RLP

JOE VAN RUITEN, et al.,

Defendants.

ORDER¹

This matter comes before the Court *sua sponte*. Plaintiff filed this action on August 4, 2008. (Docket No. 1). He was granted leave to proceed *in forma pauperis* on August 29, 2008. (Docket No. 4). Plaintiff has not served process on any defendant in this matter.

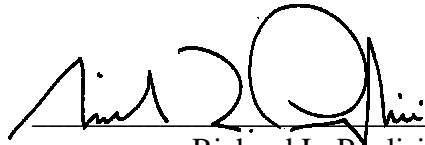
F.R.Civ.P. 4(m) provides:

Time Limit for Service. If a defendant is not served within 120 days after the complaint is filed, the court – on motion or on its own after notice to the plaintiff – must dismiss the action without prejudice against the that defendant or order that service be made within a specified time. But is the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period....

The 120 day limit for service of process has expired.

IT IS HEREBY ORDERED that Plaintiff shall have twenty-one (21) days from the date of this order to serve process on each defendant, or to show good cause for his failure to do so.

IT IS SO ORDERED.


Richard L. Puglisi
Chief United States Magistrate Judge

¹This matter has been referred to the undersigned pursuant to 28 U.S.C. §§ 636(b)(1)(B) and (b)(3) to conduct all hearings and to perform any legal analysis required in order to recommend to the District Court an ultimate disposition of the case. (Docket No. 16).